

2007 NOV 23 PM 5:25

Doc / 2007
IFW
PATENT

Attorney Docket No. 077153-0020

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
David J. Kolacz, et al.

U.S. Patent No.: 6,305,621
Issued: October 23, 2001

For: PIVOTING FLUID CONDUIT JOINT AND
ONE-WAY BRAKE

Examiner: Dinh Q. Nguyen

Art Unit: 3752

Mail Stop Petition
Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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OFFICE OF PETITIONS

STATUS INQUIRY

Dear Sir:

The above-referenced United States patent expired for non-payment of its maintenance fee. On May 9, 2007, Applicants filed a Petition to Accept Unintentionally Delayed Payment of Maintenance Fee in an Expired Patent, which was received by the Office of Petitions on May 14, 2007. Applicants then called the Office of Petitions on August 29, 2007, and were advised the Petition would not be reviewed for at least another month.

Presently, the Petition has not been reviewed and/or granted.

An Office Action was issued on October 31, 2007, for application no. 10/692,270, which is a reissue application of registration no. 6,305,621, advising that the reissue application is in condition for allowance pending the payment of the maintenance fee for U.S. Patent No. 6,305,621. A copy of the Office Action is attached. Applicants have until December 31, 2007, for the above-referenced petition for U.S. Patent No. 6,305,621 to be granted, so that reissue application no. 10/692,270 may proceed to issue.

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Registration No. 6,305,621
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Please advise the undersigned attorney of the status of the Petition to Accept
Unintentionally Delayed Payment of Maintenance Fee.

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Respectfully submitted,

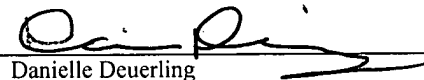
Date: November 15, 2007

By: 

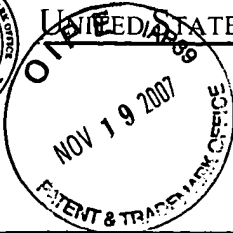
Daniel N. Christus, Reg. No. 29,626
McDermott Will & Emery LLP
227 West Monroe Street
Chicago, Illinois 60606
312.372.2000

CERTIFICATE UNDER (37 C.F.R. § 1.8a)

I hereby certify that this correspondence is, on the date shown below, being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to: Mail Stop Petition, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on November 15, 2007.


Danielle Deuerling

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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/692,270

10/23/2003

David J. Kolacz

77153-0020

7706

1923 7590 10/31/2007
 MCDERMOTT, WILL & EMERY LLP
 227 WEST MONROE STREET
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EXAMINER

NGUYEN, DINH Q

ART UNIT PAPER NUMBER

3752

MAIL DATE DELIVERY MODE

10/31/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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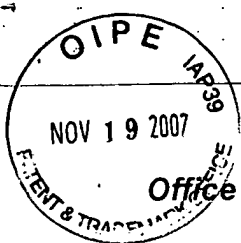
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 MCDERMOTT WILL & EMERY LLP

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12-31-2007

3AM



Office Action Summary

Application No.

10/692,270

Applicant(s)

KOLACZ ET AL.

Examiner

Dinh Q. Nguyen

Art Unit

3752

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 August 2007.
- 2a) ☐ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☒ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) _____ is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-4, 21, 22, 25 and 26 is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

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Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application
- ☐ Other: _____

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DETAILED ACTION

Conclusion

1. This application is in condition for allowance except for the following formal matters:

The instant application is a reissue application of U.S. Patent No. 6,305,621 that is expired for delayed payment of maintenance fee. The instant application is in condition for allowance except for the payment of the maintenance fee for the reissue patent.

Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 25 USPQ 74, 453 O.G. 213, (Comm'r Pat. 1935).

A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dinh Q. Nguyen whose telephone number is 571-272-4907. The examiner can normally be reached on Monday-Thursday 6:00-4:30.

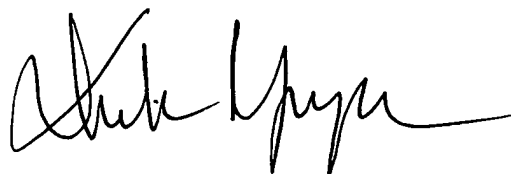
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kevin Shaver can be reached on 571-272-4720. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Dinh Q Nguyen
Primary Examiner
Art Unit 3752

dqn